

City Attorney

Department Description

In the words of the Columbus City Charter, the City Attorney is "...the legal adviser of and attorney and counsel for the city, and for all officers and departments thereof in matters relating to their official duties."

The City Attorney has many duties including prosecuting or defending all suits for and in behalf of the city, prosecuting criminal misdemeanor offenses in the Franklin County Municipal Court, reviewing legislation being considered by City Council, collecting debts owed to the city, acquiring easements and property needed by the city and, when requested in writing by the Mayor or Council or a department head, rendering opinions upon any question of law involving the powers or duties of the requester.

The City Attorney's Office is staffed with 125 full-time employees (54 of whom are attorneys) and 33 part-time employees. While most of the employees are paid out of the general fund, several are paid out of grant funds or the land acquisition fund.

The Office is divided into various organizational units to accomplish the many duties that the City Attorney must perform. These units are the Civil Division (which incorporates the Business and Regulation Section, the Litigation Section, and the Labor and Employment Section), the Claims Division, the Prosecutor Division (which incorporates the Domestic Violence and Stalking Unit, the Environmental Unit, the Intake Unit, the Criminal Appellate Unit, Telecommunications Harassment Unit, Night Prosecutor Mediation Program, the Check Resolution Program, the Neighborhood Legal Advocates Program and the Student Mediation and Assistance to Reduce Truancy Program), the Real Estate Division and the Police Legal Advisor.

Department Mission

To carry out the duties and responsibilities as prescribed by the Columbus City Charter and the Columbus City Codes.

To carry out those duties and responsibilities in a professional and competent manner so that the office's clients and the public are well and fairly served.

Department Goals and Objectives

To handle every matter so that at its conclusion the result will be just and fair both to the City of Columbus and to the other parties involved.

Strategic Priorities for 2005

- Continue to deliver quality legal services
- Promote a partnership with community groups so that the resources of the office can be brought to bear early and effectively in solving neighborhood problems

2005 Budget Issues

- Through attrition, the City Attorney has eliminated five full-time positions and will delay, until the second quarter, the hiring of two attorneys critical to the operation of the Office that were requested in the original budget submission. These moves will result in general fund savings of \$359,359. In addition, the Office has taken a 2 percent vacancy credit totaling \$191,304.
- In 2004, funds for outside counsel were budgeted in the City Attorney's Office while legal settlement costs were funded in Finance's citywide account. Special counsel costs are incurred when conflicts of interest prohibit the City Attorney from representing parties in litigation or when the matter involves highly specialized matters that demand expertise outside the City Attorney's Office. In the 2005 budget, costs for both outside counsel and legal settlements are budgeted in Finance's citywide account.

Budget and Program Summary

DEPARTMENT FINANCIAL SUMMARY					
DIVISION SUMMARY	2002 Actual	2003 Actual	2004 Original Appropriation	2004 Estimated Expenditures	2005 Proposed
City Attorney	\$ 9,770,522	\$ 9,265,707	\$ 9,146,152	\$ 9,044,631	\$ 9,677,471
Real Estate	442,525	381,899	328,174	334,883	345,682
Land Acquisition	609,447	650,747	725,759	723,435	782,895
Special Litigation	524,100	295,451	-	-	-
TOTAL	\$ 11,346,594	\$ 10,593,603	\$ 10,200,085	\$ 10,102,949	\$ 10,806,048

DIVISION SUMMARY BY CHARACTER					
CITY ATTORNEY GENERAL FUND EXPENDITURES SUMMARY	2002 Actual	2003 Actual	2004 Original Appropriation	2004 Estimated Expenditures	2005 Proposed
Personnel	\$ 8,003,866	\$ 8,205,889	\$ 8,145,387	\$ 8,095,842	\$ 8,932,232
Materials & Supplies	75,979	82,918	103,500	166,064	152,873
Services	1,690,677	976,900	647,265	622,416	592,366
Other Disbursements	-	-	-	-	-
Capital	-	-	-	-	-
Transfers	-	-	250,000	160,309	-
TOTAL	\$ 9,770,522	\$ 9,265,707	\$ 9,146,152	\$ 9,044,631	\$ 9,677,471
REAL ESTATE GENERAL FUND EXPENDITURES SUMMARY	2002 Actual	2003 Actual	2004 Original Appropriation	2004 Estimated Expenditures	2005 Proposed
Personnel	\$ 408,752	\$ 360,077	\$ 312,901	\$ 322,189	\$ 331,443
Materials & Supplies	3,931	7,082	5,373	5,373	5,373
Services	29,842	14,540	9,900	7,321	8,866
TOTAL	\$ 442,525	\$ 381,699	\$ 328,174	\$ 334,883	\$ 345,682
LAND ACQUISITION LAND ACQUISITION FUND EXPENDITURES SUMMARY	2002 Actual	2003 Actual	2004 Original Appropriation	2004 Estimated Expenditures	2005 Proposed
Personnel	\$ 556,724	\$ 579,897	\$ 629,503	\$ 628,011	\$ 694,484
Materials & Supplies	5,020	17,562	9,978	9,146	9,978
Services	47,703	43,760	86,278	86,278	78,433
Capital	-	9,528	-	-	-
Transfers	-	-	-	-	-
TOTAL	\$ 609,447	\$ 650,747	\$ 725,759	\$ 723,435	\$ 782,895
SPECIAL LITIGATION GENERAL FUND EXPENDITURES SUMMARY	2002 Actual	2003 Actual	2004 Appropriated	2004 Estimated	2005 Proposed
Personnel	\$ 445,954	\$ 295,451	\$ -	\$ -	\$ -
Materials & Supplies	10,999	-	-	-	-
Services	67,147	-	-	-	-
TOTAL	\$ 524,100	\$ 295,451	\$ -	\$ -	\$ -

DEPARTMENT SUMMARY BY FUND					
FUND SUMMARY	2002 Actual	2003 Actual	2004 Original Appropriation	2004 Estimated Expenditures	2005 Proposed
General	\$ 10,737,148	\$ 9,942,856	\$ 9,474,326	\$ 9,379,514	\$ 10,023,153
Land Acquisition	609,447	650,747	725,759	723,435	782,895
TOTAL	\$ 11,346,595	\$ 10,593,603	\$ 10,200,085	\$ 10,102,949	\$ 10,806,048

DEPARTMENT PERSONNEL SUMMARY					
DIVISION	FT/PT*	2002 Actual	2003 Actual	2004 Authorized	2005 Authorized
City Attorney	FT	108	102	119	119
	PT	46	46	46	46
Real Estate	FT	7	7	7	7
Land Acquisition	FT	7	4	7	7
	PT	-	-	1	1
Special Litigation	FT	5	-	-	-
TOTAL		173	159	180	180
*FT=Full-Time PT=Part-Time					

CITY ATTORNEY							
Program	Mission/Description	FT	2004 Budget PT	Appropriated	FT	2005 Budget PT	Proposed
Administration	Provides management and support through the offices of the City Attorney	9	-	\$ 1,791,087	8	1	\$ 1,549,311
Criminal Prosecution	Provides attorneys to represent the State of Ohio and the City of Columbus in the prosecution of misdemeanor traffic and criminal cases filed in the Franklin County Municipal Court. Crimes prosecuted by this unit include domestic violence, DUI, and assault cases.	22	-	1,882,400	23	-	1,963,251
Civil Prosecution	Provides support personnel to assist attorneys in the civil division by preparing legal documents, maintaining the case database, scheduling depositions and appointments as well as a multitude of other duties that maintain the organized flow of legal documents in the city's legal office.	4	-	261,300	5	-	281,359
Civil Part-Time	Provides law student interns who perform legal research for the attorneys in the civil division.	-	3	29,951	-	6	132,827
Appellate	Responsible for the appeal of misdemeanor prosecutions to the Franklin County Court of Appeals, and defending any misdemeanor criminal appeals filed against the city. Law student interns in this unit, in addition to providing legal research, staff traffic court in Franklin County Municipal Court.	2	6	270,586	2	6	266,961

Program	Mission/Description	2004 Budget			2005 Budget		
		FT	PT	Appropriation	FT	PT	Proposed
Intake	Serves citizens of the community who request the filing of criminal misdemeanor complaints. Intake staff assist, advise and make appropriate referrals on behalf of the city.	4	22	566,105	2	23	604,666
Victim Witness Assistance	Prosecutes domestic violence offenders and assists victims of this crime by providing them with immediate resources in times of crisis as well as education and training to all Franklin County law enforcement officers and the Columbus Division of Police. The unit also focuses on menacing by stalking cases.	13	-	779,838	10	-	790,315
Business	Assists in the legal review and implementation of vital city development projects, which foster the growth of our community and gives legal assistance to city officials with respect to city services, legislation, contracts, zoning, and relations with the suburban neighbors of the city. This section also assists with the city's compliance with state and federal environmental laws, and taking legal action against industrial facilities that fail to comply with water pollution laws and other environmental requirements.	8	-	765,339	8	-	829,812

Program	Mission/Description	2004 Budget			2005 Budget		
		FT	PT	Appropriation	FT	PT	Proposed
Litigation	Defends the City of Columbus and its employees in contract disputes, claims for personal injury or property damage, constitutional violations, wrongful death, tax disputes, and many other claims requesting money damages. Also provides legal education, training, advice, and counsel.	6	-	606,716	6	-	671,076
Labor	Responsible for handling all labor and employment-related litigation involving the city and for rendering legal advice to city officials on labor and employment matters in the areas of collective bargaining, labor contract administration, employee benefits, civil service, equal employment opportunity, workers' compensation and unemployment compensation. Defends the city in employment litigation filed in federal and state courts, and counsels various city departments on day-to-day personnel matters.	4	-	441,529	5	-	562,772
Police Legal Bureau	Advises the Division of Police on legal and policy matters impacting their work. Serves as liaison for both civil and criminal litigation involving police. Provides hours of training on a variety of legal topics associated with legal issues for law enforcement.	4	-	239,111	3	2	270,008
Claims	Handles pre-litigation claims against the city as well as the collection of funds owed to the city.	6	1	426,319	7	-	472,521

Program	Mission/Description	FT	2004 Budget		FT	2005 Budget	
			PT	Appropriation		PT	Proposed
Legal Assistance	Provides clerical support to the prosecutors in the Franklin County Municipal Court. Responsible for sending out subpoenas and ensuring that all case files have necessary paperwork for each prosecutor's daily docket.	14	-	783,607	16	-	840,661
Dispute Resolution	Solves problems and conflicts outside of the judicial process through the use of trained mediators. The night prosecutor mediation program mediates cases in an attempt to resolve issues between citizens without entering the criminal courts. Project SMART (Student Mediation and Assistance to Reduce Truancy), brings students, parents, and educators together to develop a specific plan to keep children in school. The check resolution program assists in the collection of money lost to merchants due to the passing of bad checks.	1	-	85,487	1	-	77,194
Environmental	Handles cases relating to housing, building, health and zoning code violations as well as nuisance abatement actions.	5	-	216,777	5	-	364,737
Real Estate	Responsible for acquisition of all real property needed by city departments. In addition, this division provides the legal assistance to the city with regard to all real estate matters, including the sale and leasing of property, estimation of property values, and matters related to real estate taxes. This division is general fund supported.	4	-	328,174	4	-	345,682

Program	Mission/Description	2004 Budget			2005 Budget		
		FT	PT	Appropriation	FT	PT	Proposed
Land Acquisition	Responsible for acquisition of all real property needed by city departments. In addition, this division provides the legal assistance to the city with regard to all real estate matters, including the sale and leasing of property, estimation of property values, and matters related to real estate taxes. This division is funded through the land acquisition fund. The land acquisition fund is supported through billings to non-general fund divisions for real estate work.	7	1	725,759	7	1	782,895
TOTAL		113	33	\$ 10,200,085	112	39	\$ 10,806,048